

**FILED**2007 Jun-08 PM 02:47  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

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ALLIANCE  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ALONZO MOFFETT,

Plaintiff

vs.

OFFICER BRADFORD,

Defendant

Case No. 2:07-cv-00683-WMA-HGD

**ORDER**

Alonzo Moffett, plaintiff, has filed a *pro se* complaint in this court pursuant to 42 U.S.C. § 1983. Plaintiff Moffett is an Alabama prison inmate incarcerated at Draper Correctional Facility, which is located in the Middle District of Alabama. Plaintiff names as defendant Officer Bradford. He claims that defendant Bradford used excessive force against him on April 7, 2007.

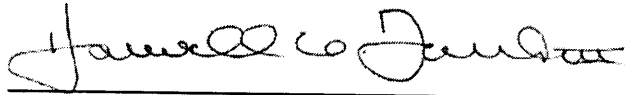
It appears from the complaint filed by plaintiff that venue is not proper in the Northern District of Alabama. A civil rights action may be brought only in the judicial district (1) where at least one of the defendants resides or (2) where "a substantial part of the events or omissions giving rise to the claim occurred." 28 U.S.C. § 1391(b). *See Jones v. Bales*, 58 F.R.D. 453 (N.D. Ga. 1972), *aff'd*,

480 F.2d 805 (5th Cir. 1973); *Daugherty v. Procnier*, 456 F.2d 97 (9th Cir. 1972).

There does not appear to be a defendant which resides in the Northern District of Alabama. In addition, the actions of which plaintiff complains did not occur in the Northern District of Alabama and appear to have occurred in the Middle District of Alabama.

Therefore, in the exercise of discretion and in furtherance of justice, it is ORDERED that this action is due to be and hereby is TRANSFERRED to the United States District Court for the Middle District of Alabama. 28 U.S.C. § 1404(a).

DONE this 8th day of June, 2007.



HARWELL G. DAVIS, III  
UNITED STATES MAGISTRATE JUDGE

A TRUE COPY  
SHARON N. HARRIS, CLERK  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA

  
DEPUTY CLERK